

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**CHAMBERS OF  
MARK FALK  
UNITED STATES MAGISTRATE JUDGE**

**USPO & COURTHOUSE  
1 FEDERAL SQ., ROOM 457  
NEWARK, NJ 07101  
(973) 645-3110**

April 5, 2013

Philip D. Stern, Esq.  
697 Valley Street, Ste. 2D  
Maplewood, NJ 07040

Eric William Swartz, Esq.  
Winget, Spadafora & Schwartzberg  
45 Broadway, 19<sup>th</sup> Floor  
New York, NY 10006

**LETTER ORDER PURSUANT TO RULE 16**

**Re: Bennett v. Frisch  
Civil Action No. 12-7527 (DMC)**

Dear Counsel:

A scheduling conference shall be conducted before the Undersigned on **Monday, May 6, 2013 at 11:00 a.m.** at the U.S. Post Office and Courthouse, 1 Federal Square, Fourth Floor, Newark, New Jersey. See Fed. R. Civ. P. 16.1 and L.Civ.R. 16.1(a).

Counsel are advised that the early disclosure requirements of Fed. R. Civ. P. 26 will be enforced. Therefore, counsel shall immediately exchange the following information without a formal discovery request:

- contested facts,
- identities of individuals likely to have knowledge of discoverable facts,
- documents and things in the possession of counsel or the party,
- identities of experts and their opinions,
- insurance agreements in force, and

- statement of the basis for any damages claimed.

At least fourteen (14) days prior to the conference scheduled herein, counsel shall personally meet and confer pursuant to Fed .R. Civ .P. 26(f), and shall submit a discovery plan to the undersigned not later than 72 hours prior to the conference with the Court. The discovery plan may include a summary of the status of settlement negotiations.

At the conference with the Court, all parties who are not appearing pro se must be represented by counsel who shall have full authority to bind their client in all pretrial matters. Clients or persons with authority over the matter shall be available by telephone. See L.Civ.R. 16.1(a).

**Counsel for plaintiff(s) shall notify any party who hereafter enters an appearance of the above conference and forward to that party a copy of this Order.**

The parties must advise this Court immediately if this action has been settled or terminated so that the above conference may be cancelled.

Failure to comply with the terms herein may result in the imposition of sanctions.

**SO ORDERED.**

/s/ Mark Falk  
**MARK FALK**  
**United States Magistrate Judge**